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Permanent Forum on Indigenous Issues
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Item 3 of the provisional agenda*
Discussion of the special theme for the year "Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples"

Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples

Report of the international expert group meeting

Summary

The present report provides an overview of the issues discussed at the international expert group meeting on the theme "Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples", which was held from 12 to 14 January 2010 at United Nations Headquarters in New York. The report focuses on the conclusions and recommendations of the expert meeting to the Permanent Forum.

* E/C.19/2010/1.

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I. Introduction

1. At its eighth session in May 2009, the Permanent Forum on Indigenous Issues recommended that the Economic and Social Council authorize a three-day international expert group meeting on the theme: "Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples", and requested that the results of the meeting be reported to the Permanent Forum at its ninth session. At its regular session on 30 July 2009 (decision 2009/253), the Economic and Social Council decided to authorize the expert group meeting, and requested that the results of the meeting be reported to the Permanent Forum at its ninth session, in April 2010. The workshop was organized by the secretariat of the Permanent Forum.

II. Organization of work

A. Attendance

2. The following Permanent Forum members attended the meeting: Victoria Tauli-Corpuz; Carlos Mamani Condori; Tonya Gonnella Frichner; Pavel Sulyandziga.

3. The following invited experts participated in the meeting: Kanyinke Sena (Africa); Jelena Poranger (Arctic); Myrna Cunningham (Central, South America and the Caribbean); Anna Naikanchina (Eastern Europe, Russian Federation, Central Asia and Transcaucasia); John Bamba (Asia); and Jeannette C. Armstrong (North America). The invited expert from the Pacific was unable to attend.

4. The meeting was attended by observers from departments, agencies, funds and programmes of the United Nations system, observers from other intergovernmental organizations, non-governmental organizations (NGOs) and Member States. The list of participants is contained in annex II.

B. Documentation

5. The participants had before them a draft programme of work and documents prepared by participating experts. The documentation is available on the website of the secretariat of the Permanent Forum at http://www.un.org/esa/socdev/unpfii/en/EGM_DCI.html.

C. Opening of the meeting

6. At the opening of the meeting, the Assistant Secretary-General for Policy and Coordination and Inter-Agency Affairs and Secretary of the United Nations system Chief Executives Board for Coordination, Thomas Steltzer, made an opening statement on behalf of the Department of Economic and Social Affairs.

D. Election of officers

7. Tauli-Corpuz was elected Chair of the meeting and Antti Korkeakivi of the Office of the United Nations High Commissioner for Human Rights was elected Rapporteur.

E. Adoption of the conclusions and recommendations

8. On 14 January 2010, the meeting adopted, by consensus, the conclusions and recommendations contained in section IV below.

F. Closure of the workshop

9. The meeting was closed after the conclusions and recommendations were adopted on 14 January 2010.

III. Highlights of the discussion

10. Participants pointed out that economic liberalism, which promotes the idea that sustained economic growth, measured by the gross domestic product (GDP), is the driver of human progress and development, is the product of a particular world view and its interpretation and implementation often reflect the culture and values of the dominant society. This economic ideology, packaged as the Washington Consensus during the past three decades, pushes for trade liberalization and export-led growth, the liberalization of financial markets, deregulation and privatization. While it is viewed as a framework for addressing the challenges of global and national development, its promotion of debt-dependence, export-orientation and production and consumption beyond ecological limits has resulted in untenable inequity and injustice and the destruction of the diverse economic systems of indigenous peoples. Since colonization, the ability of indigenous peoples to maintain their responsibility as custodians of their lands has been seriously inhibited. The dominant models of development have compromised indigenous peoples in every aspect of their daily lives, including through the imposition of large infrastructure projects on their lands without their consent. This has generated poverty and severe inequality, massive environmental devastation and human rights violations. The serious rupture to the fabric of social life in indigenous communities as manifested in family breakdowns, alcoholism, and suicide among young people has been fuelled further by this model. In addition, it ignores indigenous peoples' own governance, economic, social, education, cultural, spiritual and knowledge systems and the natural resources that have sustained them through the generations.

11. Today, indigenous peoples continue to be enmeshed in the expansion of this model of economic development, through globalization, which enabled the market forces to influence economic and development policies at the national level. It is not surprising, therefore, to witness the strong resistance of indigenous peoples against globalization, which is viewed as an aggressive attempt to shape national economies to mimic the economic system of the industrialized countries and which is grossly unjust and has promoted further inequality and environmental devastation within a short period of time. That development model has failed to promote the cultural,

political, social, ecological and economic integrity of indigenous peoples and their communities.

12. Participants made the point that the current development paradigm is seen to be a problem rather than a solution for many indigenous peoples. Some participants questioned the usefulness of the term "development", which is a term not often used within indigenous peoples' societies. Further, such a term had not convincingly contributed to improving the lives of indigenous peoples. The participants recognized that the challenge remains for indigenous peoples to develop their own paradigms, based on the United Nations Declaration on the Rights of Indigenous Peoples. There needs to be a concept of development with culture and identity that reflects indigenous peoples' own visions, perspectives as well as strategies that respect their individual and collective rights, are self-determining, sensitive and relevant to their situation and communities.

13. Participants pointed out there have been positive developments in standard setting that can support indigenous peoples rights, which include, inter alia, the International Labour Organization (ILO) Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169), the United Nations Educational, Scientific and Cultural Organization Universal Declaration on Cultural Diversity (2001) and related conventions and the United Nations Declaration on the Rights of Indigenous Peoples (2007), in particular article 3, on the right to self-determination and article 32, on the right to determine and develop priorities and strategies for the development or use of their lands, territories and other resources.

14. The experts presented a number of case studies demonstrating either the enabling or the obstruction of the development processes of indigenous peoples. A good example that focused on motivating change and promoting indigenous peoples' development with culture and identity is the establishment of the Credit Union Movement in West Kalimantan, Indonesia, which is based on indigenous values of reciprocity, collectivity, solidarity, equilibrium and sustainability, among others. This initiative enhanced the collective development for indigenous peoples through the provision of loans for livelihoods, securing education, health care and the provision of pension funds, thereby promoting gender justice and increasing the participation of women, as well as increasing the safety, unity and solidarity of the members of the communities. It has also helped in protecting the rights of indigenous peoples to their lands, as the people are not forced to sell in times of dire need. The Credit Union Movement has been going on for almost 30 years and it has expanded beyond West Kalimantan to other provinces of Indonesia. At the same time, such an initiative can go wrong if the community believes more in competition and results than in cooperation and collectivity, and when money is the goal and not the tool.

15. The lessons learned from the other case studies that were presented included the use and protection of national laws which safeguard the interests of indigenous peoples in regards to their lands, territories and resources. At the same time, however, such protection measures can fall short if there are no nationally guaranteed mechanisms of fairness and where responsibility for indigenous peoples' issues is spread throughout a myriad of governmental agencies, which are often poorly coordinated. Likewise, if the collective rights of indigenous peoples are not guaranteed or recognized in law, gross abuse is likely to occur and indigenous peoples risk being marginalized even further as they are forced to sell off their

ancestral lands and exploit their natural resources in order to survive. Hence, strong collective land laws and the protection of indigenous peoples' rights at the national and local levels are crucial.

16. Defending the research practices and outcomes of indigenous peoples is a highly contested area in academia, where indigenous peoples struggle to have their traditional knowledge and world views recognized. Indigenous peoples want to have an equal footing, especially in an arena where they are still viewed as objects of research, rather than as agents for change, which creates an unequal balance of power. The main concern is for the development of new standards and protocols and the promotion of research ethics in this field.

17. The participants were also concerned with the ongoing political and economic exclusion of indigenous peoples by the extractive industries. Mineral, oil and gas extraction and deforestation that occurred and is still happening in indigenous peoples' lands have resulted in mass dislocation and the involuntary resettlement of hundreds of thousands of indigenous peoples, which has in turn damaged the social and economic fabric of communities and societies. Indigenous peoples want development with culture and identity where their rights are no longer violated, where they are not discriminated against, excluded or marginalized and where their free, prior and informed consent is obtained before projects and policies affecting them are made and equitable benefit-sharing is recognized and operationalized.

18. The participants discussed in great depth the concepts of development with culture and identity. Participants were aware of the different interpretations and expressions of development with culture and identity that exist among indigenous peoples. There is a need to compile good examples of lessons learned and good practice models as well as development models that have failed. The meeting was in no way viewed as the end of such dialogue, but rather the beginning of further exploration ahead, particularly at the ninth session of the Permanent Forum, which will focus on development with culture and identity.

IV. Conclusions and recommendations

19. Indigenous peoples suffer the consequences of historical injustices, including colonialism, the doctrine of discovery, dispossession from their lands and resources, oppression and discrimination. Today many indigenous peoples remain impoverished and marginalized and their right to development is denied. Development paradigms of modernization and industrialization have often resulted in the destruction of indigenous governance, economic, social, education, cultural, health, spiritual and knowledge systems and natural resources.

20. Since the Second World War, the concept of development has often been conceived in strictly economic terms. The main focus has been on the quest for GDP growth and the general belief that the benefits of economic development would trickle down and also yield development in other spheres of life. The concept of development was thought to follow an evolutionary process that commenced from basic commodity suppliers, through capital accumulation to industrialization, in turn leading to urbanization and "modernization". Indigenous peoples' societies were

often regarded as "backward, primitive and uncivilized", where their "development" was understood to be their assimilation into the so-called "civilized world".[1]

21. All too often, the blind faith in self-correcting, efficient markets and the promotion of infinite consumption of finite resources, coupled with the promise that economic liberalization will lead towards rapid economic growth, results in the overexploitation of natural resources where indigenous peoples, their cultures and identities are seen as "obstacles" to progress because their lands and territories are rich in resources and indigenous peoples are not willing to freely dispose of them. Further, indigenous peoples' cultures and values are seen to be contradictory to the values of the market economy, such as the accumulation of profit, hyper-consumption and competitiveness. In many countries, the history and the continuing practice of assimilation has resulted in blanket public policies that have excluded indigenous peoples and are discriminatory in respect of their cultures and identities. The pursuit of economic growth, at all cost, is not only destructive for indigenous peoples but also for the rest of humanity and the planet. Further, the focus on GDP as a main measure of progress has distorted the true meaning of progress and well-being. The national accounting systems that mainly use GDP as a measure do not account for environmental and social costs. The damage to ecosystems, for example, that has resulted in the irreversible loss in biological diversity and the erosion of related cultural and linguistic diversity and indigenous knowledge, is not factored into the national balance sheet. Ecological, cultural, social and spiritual indicators, which will provide more comprehensive measurements of the national and global situations, are still not used.

22. The failure of the dominant development paradigm, as evidenced by the lingering global economic crisis and the environmental crisis of climate change and the erosion of biological diversity, signals the need to evolve alternative ways of thinking about and pursuing development. Indigenous peoples' visions and perspectives of development provide some of these alternatives that should be articulated and discussed further. Indigenous peoples' concept of development is based on a philosophy underpinned by the values of reciprocity, solidarity, equilibrium and collectivity, that humans should live within the limits of the natural world. Development with culture and identity is characterized by a holistic approach that seeks to build on collective rights, security and greater control and self-governance of lands, territories and resources. It builds on tradition with respect for ancestors, but also looks forward.

23. Over the decades, indigenous peoples have used the forums of the United Nations to discuss the problems they face in their own communities as a result of policies and programmes that ignore their cultural integrity, treaty relationships and rights and have negative effects on their lives and livelihoods, including mega-projects, education devoid of indigenous values and languages and the abuse of their traditional knowledge. Their concerns have also led to the development of local, regional and global indigenous movements that have focused on the protection of lands, territories and resources as well as the need to protect indigenous peoples' governance, economic, social, education, cultural, spiritual and knowledge systems and natural resources.

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[1] United Nations Development Programme, International Policy Centre for Inclusive Growth, Poverty Practice, Bureau for Development Policy, *Poverty in Focus: Indigenising Development*, No. 17 (May 2009).

24. The United Nations Declaration on the Rights of Indigenous Peoples provides a strong basis from which indigenous peoples can affirm their rights and define their aspirations in their relations with States and corporations around development with culture and identity. Article 3 is central to the Declaration as it refers to the right to self-determination. Article 32 is also a key provision that captures the essence of culture with development and identity. These articles are the result of advocacy and concerns raised by indigenous peoples at the United Nations.

25. The Declaration provides a comprehensive normative framework for advancing development with culture and identity. Key articles in that regard include the set of rights defining self-determination and full and effective participation (more than 15 articles), and the set of cultural rights proclaimed in the Declaration (more than 17 articles). Other relevant international instruments and case law include ILO Convention No. 169, as well as the case law and general comments of the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights as well as decisions of the Inter-American Court of Human Rights. United Nations policy instruments have also espoused development with culture and identity, namely the United Nations Development Group Guidelines on Indigenous Peoples' Issues, adopted in 2008, and the human rights-based approach to development (see http://www.undp.org/partners/cso/indigenous.shtml). It is now time for the United Nations system to fully implement these policy instruments that support development with culture and identity for indigenous peoples.

26. Climate change has heightened the urgency to alter the dominant development model not only for the sake of indigenous peoples but for the whole of humanity and the planet. The climate change crisis is a direct result of the unabated dumping of greenhouse gases into the atmosphere caused by a fossil-fuel-based economic model and the over-exhaustion of natural resources such as forests, peat lands, grasslands, soils, and the like. Indigenous peoples disproportionately suffer from the serious impacts of climate change because they are mainly dependent on the integrity of their ecosystems for their survival and because of their impoverishment. In addition, they also suffer from climate mitigation measures that fail to respect their rights and they are the ones who mainly bear the costs of adapting to climate change. Some mitigation measures, such as emissions trading, carbon sinks, renewable energy systems, and alternative fuels, have been implemented and have resulted in the further exclusion of indigenous peoples and violations of their human rights.

27. Climate change is a proof of the failure of an economic development model that is unsustainable and, therefore, has to be changed. To meet the challenge of creating more sustainable and climate-sensitive development paths, it is important to look into the vision, concepts and practices of indigenous peoples who still sit in the territories that contain the Earth's remaining natural wealth and who are the bearers and speakers of much of what remains of the world's diverse cultures and languages. At the same time, indigenous peoples need to continue to take an active role in the negotiations on climate change and that role should not be merely in parallel processes but within the main forums where decisions are made. The issues that surround climate change are issues of equity, social justice, ecological sustainability, environmental justice and human rights.

28. The Declaration recognizes that indigenous peoples have the right to self-determination and that by virtue of that right they freely determine their

development. Indigenous peoples are thus to determine their own notions of development, as well as help to reconstruct current institutions in order to improve their situation and that of humanity as a whole. Indigenous peoples' interpretations of well-being have a number of common elements, such as:

- Importance of collective economic actors and community economic institutions
- Integrity of indigenous governance
- Purpose of production should not only be considered in terms of profit but rather in terms of improving quality of life
- Enriching the notion of development where human beings are in harmony with Mother Earth
- Self-determination
- Interaction between people, resources and the spiritual aspects of life as well as strengthening indigenous peoples' knowledge institutions.

29. There is a need to reiterate key recommendations in the report of the consultation workshop and dialogue on indigenous peoples' self-determined development or development with identity, held from 14 to 17 March 2008 in Italy, which relates to self-determined development (see E/C.19/2008/CRP.11). It contains important points, including in terms of environmental damage that should result in just compensation and remuneration. The right to self-determination of autonomous regional governments or other self-governing structures of indigenous peoples merits being further developed or enhanced. Also, there is a need to promote indigenous peoples' participation in political governance, legislative structures from the local level to the national level and beyond.

30. The development of indigenous peoples' indicators of sustainability and well-being is still a work in progress and should be continued towards the establishment of headline indicators to measure and examine the goals and aspirations of indigenous peoples and the piloting of these in several countries. These could include indicators for a harmonious society, cultural integrity, environmental sustainability and spiritual indicators viewed from the perspective of indigenous peoples. The process can lead to the creation of an index of well-being and sustainability of indigenous peoples.

31. Indigenous peoples have also defined their concept of development as a growth or process that considers indigenous identity in a holistic way that includes social, cultural, political and spiritual systems. There is a need to document and record the diversity of indigenous peoples' concepts of self-determined development. As the term "development" is not commonly used by indigenous peoples in their cultural contexts other terms and concepts used in various indigenous languages such as *sumak kawsayvivir bien*, *buenvivir*, *alli kawsay* (meaning "living well") should be made more visible.

32. Holistic concepts of development have to consider the reality and struggle that indigenous peoples experience in order to live in a market-driven society. Development policies, institutions and systems established by States must allow for diversity and plurality and the coexistence of indigenous governance, economic, social, education, cultural, spiritual and knowledge systems and natural resources

with systems adopted by the State. This is part of indigenous peoples' right to self-determination.

33. A number of case studies exist that clarify the importance of development with culture and identity for indigenous peoples and the examples presented by participants were very enlightening. Some are briefly mentioned in the section on highlights of the discussion above and also described in the papers submitted to the meeting (see http://www.un.org/esa/socdev/unpfii/en/EGM_DCI.html). The secretariat of the Permanent Forum could prepare additional compilations of good practices for development. There is also a need to compile success stories on indigenous development, which could serve as a textbook for formal and informal institutions. Further, there is a need to identify lessons learned from local experiences related to development and indigenous peoples, such as those gained by the Credit Union Movement of West Kalimantan.

34. In pursuing their well-being and sustainability, indigenous peoples should reconstitute, restore, and revitalize their cultures, priorities and perspectives. This change is in line with their rights enshrined in the Declaration and other international human rights standards.

35. Research and training on indigenous peoples' concepts of development with culture and identity, self-determined well-being and sustainability and sharing these with other stakeholders is an important requirement. Indigenous peoples' initiatives for their self-determined well-being and sustainability should be supported politically, institutionally and financially by States, the United Nations system and other intergovernmental organizations.

36. Efforts must be enhanced to operationalize and apply free, prior and informed consent. While much discussion on this issue has taken place, there is still only limited practice. The United Nations should disseminate further the concept of a free, prior and informed consent as it has been analysed by United Nations bodies, especially the Permanent Forum, as well as case studies and good practices in that regard.

37. There is a need to undertake analysis of various development concepts. Such analysis would be able to reveal what is needed and appreciated by indigenous peoples themselves. Funding institutions should finance indigenous initiatives to collect and share information on the results and experiences of this work.

38. There is a need to enhance data collection related to indigenous peoples' well-being and sustainability.

39. Education plays an important role in the establishment and progress of the proposed development with culture and identity. The establishment, accreditation and strengthening of indigenous networks and universities will facilitate the exchange of knowledge and support the conceptualization and development practices with culture and identity of indigenous peoples. Education for indigenous peoples should be culturally relevant and include support for indigenous languages. Indigenous peoples' unique pedagogy and ways of transferring knowledge should be supported. The study and advice on the right to education, issued by the Expert Mechanism on the Rights of Indigenous Peoples in 2009, provides valuable guidance in this respect.

40. Indigenous peoples have a right to determine and develop priorities and strategies pertaining to the development of their lands, territories and resources as set out in article 32 of the Declaration. Traditional knowledge is still being undermined and is disappearing and therefore needs to be supported and reinstated. Respect for indigenous peoples' traditional knowledge systems is the basis of their development with culture and identity and must be protected. Therefore, indigenous peoples' organizations should be supported to continue and expand their engagement with ongoing international processes such as the negotiations on the International Regime on Access and Benefit-sharing at the Convention on Biological Diversity and the Intergovernmental Committee on Intellectual Property, Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization.

41. Indigenous research can make an important contribution to advancing indigenous peoples' development with culture and identity. Research should be an empowering activity for indigenous peoples. Currently, research processes clearly indicate that the impact of colonization continues to be felt in the field of research. There is a need to challenge the hegemony of conventional, Western, non-indigenous research practices.

42. Indigenous peoples' interests, knowledge and experience must be at the centre of methodologies when constructing knowledge about indigenous peoples. The development of indigenous research practices will strengthen indigenous peoples' identity and in turn will support indigenous peoples' efforts to ensure self-determination in legal, political, economic and intellectual spheres. It is recommended that indigenous peoples support the current codes of conduct which already exist in universities and provide guidance to researchers in order to avoid the misuse and distortion of indigenous peoples' knowledge. Building on these efforts, a code of conduct could be presented to, and adopted by, the Permanent Forum and disseminated widely.

43. Development with culture and identity can be further strengthened through genuine collaboration among indigenous peoples, academics, States, United Nations bodies and NGOs. When pursued correctly, collaboration can be beneficial not only for empowering indigenous peoples and their cultures but also for enriching and having a positive impact on the broader society and environment.

44. The use of language is crucial in development with culture and identity, as language is not only a means of communication but also a documentation system. Each word carries cultural messages and richness of meanings. The richness of terminology in indigenous languages must also be protected in development processes because it is central to indigenous peoples' culture and identity.

45. It is recommended that indigenous peoples and industrial companies prepare studies on good practice models of development where there has been cooperation between indigenous peoples and industrial companies. Examples of such cooperation include cooperation between Udege peoples and the Terneiles Company as well as the Nenets peoples and the Novatek Company in the Russian Federation.

46. As part of development with culture and identity processes, indigenous peoples have consistently expressed a crucial need to address human rights issues related to the extractive industries. This issue has also been taken up within the United Nations, where Permanent Forum members have undertaken studies on

indigenous peoples and corporations (see E/C.19/2009/CRP.8, E/C.19/2009/CRP.11, E/C.19/2009/CRP.14, E/C.19/2010/CRP.1 and E/C.19/2010/9). In addition, an expert workshop on extractive industries was held in Manila in 2009. In 2007, the International Workshop on Perspectives of Relationships between Indigenous Peoples and Industrial Companies, was held in Salekhard, Russian Federation (see E/C.19/2008/5/Add.6). The Office of the High Commissioner for Human Rights also organized workshops on the topic of indigenous peoples and natural resource companies in 2001 and again in 2008. New tools are emerging for protecting human rights relevant to development with culture and identity, such as the new Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (General Assembly resolution 63/117, annex) that provides a complaint mechanism for victims of violations of the Covenant. This is a tool that can be used by indigenous peoples.

47. Terms such as "coexistence" or "harmonious habitation" suggest a constructive relationship between all actors, including indigenous peoples, in the development processes. However, there are conditions that must be present in order for corporations and indigenous communities to coexist in a manner which reflects development with culture and identity. One of the conditions is constructive dialogue at all levels of government, taking into account all elements of human rights, among the central governments, indigenous/tribal governments and corporations. Dialogue needs to be built on a common understanding of the meaning of individual and collective human rights. Another condition is the exercise of self-determination by indigenous peoples and their communities.

48. It is also recommended that Governments and United Nations bodies ensure that capacity-building initiatives are built into all development projects and programmes which affect the rights and interests of indigenous peoples.

49. The Permanent Forum should facilitate the establishment of a mechanism of coordination between indigenous peoples, their organizations, Governments and corporations to provide genuine dialogue and technical assistance in the implementation of free, prior and informed consent, in line with international standards.

50. In the process of revising laws, policies and structures on extractive industries and other corporations, there is a need to ensure consistency with the Declaration and other international instruments in protecting the rights of indigenous peoples, and governments should ensure that the legislation governing the granting of concessions to extractive industries includes provisions on free, prior and informed consent, in line with international standards.

51. It is important that indigenous peoples contribute to the work of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. At present, the Special Representative's work is concentrated on developing a conceptual and policy framework to advance the business and human rights agenda. The framework rests on three pillars: the duty of the State to protect against human rights abuses by third parties, including businesses through appropriate policies, regulation and adjudication, which is grounded in international human rights law; corporate responsibility to respect human rights which means to act with due diligence to avoid infringing on the rights of others; greater access for victims to effective

remedy, both judicial and non-judicial (see http://www.business-humanrights.org/Gettingstarted/UNSpecialRepresentative).

52. It is recommended that the International Council on Mining and Metals provide a list of 10 projects that they recommend as best practices. This list should be accompanied by an open invitation for members of the Permanent Forum to visit, have access to project sites and files (see E/C.19/2009/CRP.8).

53. It is recommended that indigenous peoples advocate for the secretariat of the Extractive Industries Transparency Initiative in Norway to coordinate an effective strategy to ensure that environmental and social impact on indigenous communities are considered part of the "transparency" protocols that are to be prepared by governments that are certified under this initiative (ibid.). Further, it is recommended that national Governments evaluate the activities of their companies abroad to guarantee respect for indigenous peoples' rights.

54. It is important for indigenous peoples to make use of the next round of national and other surveys and censuses, so that the principle of self-identification is reflected in them and that disaggregated data pertaining to development and indigenous peoples can be obtained.

55. All three United Nations mandates devoted to indigenous peoples, the Permanent Forum, the Special Rapporteur and the Expert Mechanism on the Rights of Indigenous Peoples, should take account of the results of the expert group meeting and incorporate them in their work and ensure that their activities in this area are pursued in a complimentary fashion.

56. United Nations entities, academia, media and indigenous peoples should create collaborative research evaluation and monitoring processes and projects, at the local, national and global levels, to influence thinking and decision-making in the key areas related to development, including capacity-building, planning, monitoring and evaluation.

57. The United Nations Development Programme is encouraged to take into account the recommendations resulting from the meeting in its 2010 *Human Development Report* as well as reflect on the practical lessons learned. Should there be a process towards expanding the Human Development Index, the experts recommend that the idea of developing an indigenous peoples' development index and an indigenous peoples' empowerment measure along the same lines of the Gender Development Index and the Gender Empowerment Measure be considered.

58. In the run-up to the high-level United Nations meeting (September 2010) that will review progress on the regional and global processes of the Millennium Development Goals, indigenous peoples should take part in the national consultation processes, ensuring that their concerns are fed into the review process, as well as in the meeting itself. Further, the report of the meeting and the report of the Permanent Forum at its ninth session should be made available during the consultation process.

59. There is a need to take advantage of the launch of the United Nations publication *State of the World's Indigenous Peoples*,[2] and to link it with the issue of self-determined development. It is also recommended that efforts be made to

[2] United Nations publication, Sales No. E.09.IV.13.

translate this publication into all the official languages of the United Nations and that it be disseminated widely.

60. Capacity-building among indigenous peoples, from grass-roots organizations to researchers and parliamentarians, should be developed further, particularly in the African region. This will help to ensure that indigenous peoples themselves are in a position to produce information and advance their thinking and approaches to development.

Annex I

Programme of work

Date/time	*Item programme*	
Tuesday, 12 January		
10-10.30 a.m.		Opening of the workshop by the Department of Economic and Social Affairs
	Item 1	Election of Chair and Rapporteur
	Item 2	Adoption of agenda and organization of work
10.30 a.m.-1 p.m.		**Theme 1: Outline various development concepts and practices** Analysis of international standards and recommendations that could be applied to indigenous peoples' concept of development with culture and identity (e.g. United Nations Declaration on the Rights of Indigenous Peoples, case law and comments of the Human Rights Committee and other human rights treaty bodies, Human Rights Council, United Nations Permanent Forum on Indigenous Issues, ILO and others); Analysis of how the goals and needs of indigenous peoples may differ from the needs and goals of other interested holders in the development processes. *Opening presentations* Victoria Tauli-Corpuz Rochelle Roco-Hachem, UNESCO
3-6 p.m.		**Theme 2: Case studies on the positive and negative effects of development on indigenous peoples and their communities** Provide case studies where development projects have had a negative effect on indigenous peoples and their communities by generating further poverty and severe inequality and other social problems. Highlight any lessons learned from such experiences; Provide case studies of instances where indigenous peoples are working as a community or in partnerships with Governments, United Nations agencies, the private sector, donor agencies on alternative development practices that may have positive outcomes.

Date/time	*Item/programme*
	Presentations
	Anna Naikanchina, Expert (Eastern Europe, Russian Federation, Central Asia and Transcaucasia) John Bamba, Expert (Asia) Kanyinke Sena (Africa)
Wednesday, 13 January	
10 a.m.-1 p.m.	**Theme 3: Factors that enable or obstruct indigenous peoples' participation in development processes**
	Provide examples where there might be effective participation in decision-making at the national level;
	Highlight capacity-building efforts that provide the necessary conditions for development activities;
	Highlight measures of accountability and integrity in decision-making and implementation of policies at the international and national levels in regards to the development processes;
	Identify obstacles, including lack of relevant statistics, lack of information and lack of technical support in the development processes;
	Highlight the persistent barriers that block indigenous peoples' effective participation in the development process;
	Analyse the role of the donor community and the private sector in enhancing or weakening indigenous peoples' participation in the development process.
	Presentations
	Jelena Poranger, Expert (Arctic) Jeanette C. Armstrong, Expert (North America)
3-6 p.m.	**Theme 4: Human rights and corporate responsibility in development programmes and projects**
	Highlight measures to incorporate human rights into programmes and projects of corporations;
	Highlight measures to strengthen corporate responsibility in development programmes and projects and how they might benefit indigenous peoples' concept of development with culture and identity;

Date/time	*Item/programme*	
		Highlight measures for States to provide effective mechanisms for just and fair redress for adverse environmental, economic, social, cultural or spiritual impact by development projects and programmes on indigenous peoples' lands, territories and resources.
		Presentations
		Myrna Cunningham (Latin America and the Caribbean) Rachel Davis, Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises
Thursday, 14 January		
10 a.m.-1 p.m.	Item 7	Strategies to identify gaps and challenges and a possible way forward
3-6 p.m.	Item 8	Adoption of conclusions and recommendations

Annex II

List of participants

Invited experts

Kanyinke Sena (Africa)

Jelena Poranger (Arctic)

Myrna Cunningham (Central, South America and the Caribbean)

Anna Naikanchina (Eastern Europe, Russian Federation, Central Asia and Transcaucasia)

John Bamba (Asia)

Jeannette C. Armstrong (North America)

Members of the Permanent Forum

Victoria Tauli-Corpuz

Carlos Mamani Condori

Tonya Gonnella-Frichner

Pavel Sulyandziga

Expert Mechanism on the Rights of Indigenous Peoples

Janne Lasimbang

States

Belgium

Bolivia (Plurinational State of)

Brazil

Canada

Chile

Ecuador

Finland

France

Germany

Greece

Guatemala

Holy See

Pakistan

Russian Federation

Spain

Tuvalu

United States of America

Delegation of the European Union to the United Nations

United Nations entities

Food and Agriculture Organization of the United Nations

International Fund for Agricultural Development

Office of the United Nations High Commissioner for Human Rights

Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises

United Nations Human Settlements Programme

United Nations Development Programme

United Nations Educational, Scientific and Cultural Organization

United Nations Children's Fund

United Nations Population Fund

World Intellectual Property Organization

World Bank

Indigenous peoples' organizations and non-governmental organizations

Cayuga Nation

En'owkin Centre

Gáldu

Federation of Saskatchewan Indian Nations

Fondo Indigena

Indigenous Peoples of Africa Coordinating Committee

Indigenous World Association

Institut Dayakologi

International World Group for Indigenous Affairs

Miccosukee Tribe of Indians of Florida

Mohawk Nation

Netherlands Centre for Indigenous Peoples

Russian Association of Indigenous Peoples of the North, Siberian and the Far East

Ryerson University

Sami University College

Stony Brook University

Tribal Link Foundation

Tonawanda Seneca Nation

Yachay Wasi